

MEETING MINUTES
Board of Alcohol and Drug Counseling
January 11, 2018

These minutes were
approved by the Board on
April 12, 2018

1. ROLL CALL

The conference call meeting of the Board of Alcohol and Drug Counseling was called to order by Christine Chasek, Chair, at 9:00 a.m., in Lower Level Room A, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

The following members answered roll call:

Members Present:

Christine Chasek, Chair
Lori Cleveland, Secretary
Jill Colegrove, Member
Tomeka Johnson, Member
Natasha Robinson, Member
Marlene Schneider, Vice Chair

Members Absent:

Jody Gilfillan, Member
Ian Lemmer, Member

Staff Present:

Kris Chiles, Licensure Unit
Nancy Herdman, Licensure Unit
Mindy Lester, Assistant Attorney General
Carla Cue, Investigations
Jeff Newman, Investigations
Kathleen Krueger, Investigations

2. ADOPTION OF AGENDA

MOTION: Robinson moved, seconded by Schneider, to approve the agenda. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Motion carried.

3. APPROVAL OF MINUTES (10-12-17)

MOTION: Robinson moved, seconded by Colegrove, to approve the minutes of 10-12-17. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Robinson (5). Voting nay: None (0). Abstain: Schneider (1). Absent: Gilfillan, Lemmer (2). Motion carried.

4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION
CLOSED SESSION

MOTION: Robinson moved, seconded by Schneider, to enter into closed session at 9:05 a.m. to hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputations of the individuals. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Abstain: None (0). Absent: Gilfillan, Lemmer (2). Motion carried.

9:38 a.m.	-	Colegrove departed meeting (conflict)
9:40 a.m.	-	Colegrove entered meeting
9:54 a.m.	-	Cue, Newman and Krueger departed meeting
9:55 a.m.	-	Cleveland departed meeting (conflict)
10:12 a.m.	-	Cleveland entered meeting

MOTION: Robinson moved, seconded by Schneider, to return to open session at 10:31 a.m. A roll call vote was taken. Voting aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: (0). Absent: Gilfillan, Lemmer (2). Motion carried.

5. REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION

a. Applications, Summary of Mail Ballot Votes and Reinstatements

Jeffrey Bridges – LADC Reinstatement from Discipline

MOTION: Schneider moved, seconded by Colegrove, to deny the reinstatement application based on original disciplinary action, unprofessional conduct, and not cooperating with the pre-reinstatement investigation. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: None (0). Motion carried.

Tereatha Avery – PLADC Reinstatement from Discipline

MOTION: Colegrove moved, seconded by Schneider, to recommend a probationary reinstatement with a 1 year probation, to include the standard terms and conditions and quarterly employer reports, written authorization for treatment counseling reports, abstain alcohol and drugs, and body fluid screens based on prior disciplinary history and applicant's diagnoses. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: None (1). Motion carried.

Cami Sazama – PLADC Applicant

MOTION: Schneider moved, seconded by Robinson, to defer a recommendation and request additional information. A roll call vote was taken. Voting Aye: Chasek, Colegrove, Johnson, Robinson, Schneider (5). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: Cleveland (1). Motion carried.

Michael Remington – PLADC Applicant

MOTION: Schneider moved, seconded by Johnson, to recommend issuance of the PLADC with no terms or conditions. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: None (0). Motion carried.

Kelley Lutjen – PLADC Applicant

MOTION: Colegrove moved, seconded by Cleveland, to defer a recommendation and request additional information. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: None (0). Motion carried.

6. UPDATES/REPORTS

- **Justice Behavioral Health Committee**

Gilfillan is the representative on the committee and not in attendance at this meeting to make a report.

- **Disciplinary/Non-Disciplinary Action Report, License Statistics, Examination Statistics & Administrative Fees**

Chiles reported that for examinations taken in 2017, there were 43 passes and 6 failures. Schneider ask if there was some pattern of those who failed and Chiles responded she would review that and report back.

Statistics:

LADC – 713

PLADC – 397

There were no administrative penalties for 2017.

For the Compliance Report for 2017, there were 5 probations, 2 censures, 1 revocation and 1 assurance of compliance.

Probations:

Sheena Aesoph
Kayla Allmendinger
Breanne Crow
Victoria Snider
Trina Wells

Censures:

Frank Bailey III
Jill Cook

Revocation: Brenda Hammer

Assurance of Compliance: Stephanie McNichols

Chiles reported initial licenses issued in 2017 were:

LADC – 44
PLADC 84

Chiles report initial licenses issued for mental health for 2017 were:

PLMHP – 337
LIMHP – 183
LMHP – 193
CMSW – 62

7. EXAMINATION REMEDIATION DISCUSSION/IDEAS FOR THOSE WHO FAIL THE LICENSE EXAMINATION

If an individual fails the IC&RC examination four times, IC&RC requires member boards to have some type of remediation requirements before the individual can take the examination again.

Robinson reported in talking with other boards they were struggling with this and IC&RC had no suggestions. Chiles stated that any remediation would have to be included in the regulations. Schneider suggested the individual complete a remediation plan. It was agreed this item would be put on the next meeting agenda for further discussion. Chasek asked for data for the last 5 years on how many individuals took the test more than once.

10:55 a.m. - Johnson departed meeting
11:03 a.m. - Johnson entered meeting

8. NEW BUSINESS

a. 2018 Legislative Session

Chiles reported the session started last week and was a 60 day session. She reported on the following bills:

LB 686 – Bill proposing a compact for psychologists for tele-psychology.

LB 834 – Relating to Uniform Credential Act and waiver of fees. The bill proposes to waive licensing fees for:

“(3) Low-income individual means an individual enrolled in a state or federal public assistance program, including, but limited to, the medical assistance program established pursuant to the Medical Assistance Act, the federal Supplemental Nutrition Assistance Program, or the federal Temporary Assistance for Needy Families program, or whose household adjusted gross income is below one hundred thirty

percent of the federal income poverty guidelines, or a higher threshold to be set by the Licensure Unit of the Division of Public Health of the Department of Health and Human Services;

(4) Military families means active duty service members, honorably discharged veterans, spouses of active duty service members or honorably discharged veterans, and unmarried surviving spouses of deceased service members;

(6) Young worker means an applicant under section 2 of this act who is between the ages of eighteen and twenty-five years.”

LB 836 – Relating to minor’s consent to certain mental health services. It reads: “A mental health practitioner licensed under the Mental Health Practice Act may provide diagnostic testing, evaluation, and treatment for outpatient mental health, alcohol addiction, and drug addiction services to a minor without the consent or notification of a parent or guardian at the request of the minor if the mental health practitioner determines that the minor is knowingly and voluntarily seeking the services and provision of the services is clinically indicated for the minor’s well-being and documented in the clinical record. The treatment may only continue for six sessions without parental consent or notification, unless the requirement of parental consent or notification would be seriously detrimental to the minor’s well-being as documented in the minor’s record.”

LB 891 – Relating to Psychology Practice Act. It states “...and, pursuant to the code of conduct, not discriminate against a client or patient or a prospective client or patient on the basis of age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability or socioeconomic status. The Department of Health and Human Services shall not adopt and promulgate any rules and regulations or approve, implement, or enforce any policies, practices, or protocols which contradict, contravene, negate, or violate the code of conduct.”

b. Regulation Status, Procedures and Next Steps

Chiles reported the executive order ended on 12-31-17 that put the promulgation of regulations on hold but no direction had been received as to the next steps.

c. Approval of Method of Noticing Meeting Agendas

Chiles reported that agendas are currently placed on the website, in the lobby of the Licensure Unit and sent to those who request a copy.

MOTION: Schneider moved, seconded by Robinson, to maintain same process for noticing meeting agendas in 2018 as did in 2017. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: None (0). Motion carried.

d. Elections and Appointments

- Officers

MOTION: Robinson moved, seconded by Chasek, to elect Colegrove as Chair. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Johnson, Robinson, Schneider (5). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: Colegrove (1). Motion carried.

MOTION: Chasek moved, seconded by Schneider, to elect Cleveland as Vice-Chair. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: None (0). Motion carried.

MOTION: Chasek moved, seconded by Cleveland, to elect Johnson as Secretary. A roll call vote was taken. Voting Aye: Chasek, Cleveland, Colegrove, Johnson, Robinson, Schneider (6). Voting nay: None (0). Absent: Gilfillan, Lemmer (2). Abstain: None (0). Motion carried.

- Investigative Consultant

Robinson was appointed investigative consultant.

- CE and Initial Education Consultants

Chasek was appointed CE and initial education consultant.

- IC&RC Delegate

Robinson was appointed the IC&RC delegate.

8. ADJOURNMENT

The chair declared the meeting adjourned at 11:43 a.m.

Respectfully Submitted,

Tomeka Johnson, Secretary
Board of Alcohol and Drug Counseling

Recorded by: Nancy Herdman
Health Licensing Coordinator - Licensure Unit